

1 NATE A. GARHART (CA Bar No. 196872)
(nate@cobaltlaw.com)
2 VIJAY K. TOKE (CA Bar No. 215079)
(vijay@cobaltlaw.com)

3 COBALT LLP
4 918 Parker Street, Bldg. A21
Berkeley, CA 94710
5 Telephone: (510) 841-9800
6 Facsimile: (510) 295-2401

7 Attorneys for Plaintiff
THE WAVE STUDIO, LLC

8
9 **UNITED STATES DISTRICT COURT**
10 **NORTHERN DISTRICT OF CALIFORNIA**
11 **SAN FRANCISCO DIVISION**

12 THE WAVE STUDIO, LLC, a New York
13 Limited Liability Company,

14 Plaintiff,

15 v.

16 VISA INC., a Delaware Corporation, and DOES
1-100,

17 Defendants.
18

Case No.: 3:15-CV-00239-JST

**STIPULATION TO EXTEND TIME TO
OPPOSE MOTION TO TRANSFER**

19 Pursuant to Civil Local Rule 6-1(a), Plaintiff The Wave Studio, LLC (“Wave”) and
20 Defendant Visa Inc. (“Visa”) and, by and through their respective counsel of record, hereby
21 stipulate as follows:

22 WHEREAS, Visa filed a motion to transfer or, in the alternative, to stay this case pending
23 the outcome of allegedly related litigation currently pending in the Southern District of New York
24 on May 19, 2015;

25 WHEREAS, Visa also filed a declination of consent to proceed before the magistrate
26 assigned to this case on May 18, 2015, pursuant to which this case was reassigned to Hon. Jon S.
27 Tigar on May 19, 2015;

28 ///

1 WHEREAS, Wave currently has until June 1, 2015 to oppose Visa's motion;

2 WHEREAS, due to a pre-planned vacation outside of the United States, counsel for Wave
3 requested, and counsel for Visa has agreed, to an enlargement of time for Wave to file an opposition
4 to the motion through and including June 15, 2015;

5 WHEREAS, the stipulation entered into herein will not affect the scheduling of this case and
6 will not cause any party to this action any prejudice;

7 WHEREAS, this is the first extension of Wave's deadline to oppose Visa's motion to
8 transfer.

9 NOW, THEREFORE, IT IS HEREBY STIPULATED by and between the parties, through
10 their respective counsel, that the parties request and agree to the following briefing schedule for
11 Visa's currently pending motion to transfer:

12 Due Date for Wave's Opposition: June 15, 2015

13 Due Date for Visa's Reply: June 29, 2015

14 Hearing Date: July 16, 2015

15 IT IS SO STIPULATED.

16 DATED: May 28, 2015

COBALT LLP

17
18 By: /s/ Vijay K. Toke
19 Vijay K. Toke

20 Attorneys for Plaintiff
21 THE WAVE STUDIO, LLC

22 DATED: May 28, 2015

LEWIS ROCA ROTHGERBER LLP

23
24
25 By: /s/ Michael McCue
Michael McCue

26 Attorneys for Defendant
27 VISA INC.
28

ATTESTATION OF CONCURRENCE

I, Vijay K. Toke, attest that I am one of the attorneys for Plaintiff The Wave Studio, LLC, a New York limited liability company, and, as the ECF user and filer of this document, I attest that, pursuant to United States District Court, Northern District of California Civil L.R. 5-1(i)(3), concurrence in the filing of this document has been obtained from Michael McCue, the above signatory.

Dated: May 28, 2015

By: /s/ Vijay K. Toke
Vijay K. Toke

ORDER PURSUANT TO STIPULATION

PURSUANT TO STIPULATION, IT IS SO ORDERED. The hearing on Visa's motion to transfer filed on May 18, 2015 shall be held on July 16, 2015 at 2:00 p.m. in Courtroom 9, 19th Floor, of the San Francisco Courthouse, located at 450 Golden Gate Avenue, San Francisco, California 94102.

Dated:

Hon. Jon S. Tigar

UNITED STATES DISTRICT JUDGE